



LAWS OF ALASKA

1990

Source

SCS CSHB 406 (L&C)

Chapter No.

59

AN ACT

Relating to the sale or transfer of consumer electrical products.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

THE ACT FOLLOWS ON PAGE 1, LINE 9

Approved by the Governor: May 16, 1990
Actual Effective Date: August 14, 1990

AN ACT

Relating to the sale or transfer of consumer electrical products.

* Section 1. AS 45.45 is amended by adding a new section to read:

Sec. 45.45.910. SALE OR TRANSFER OF CONSUMER ELECTRICAL PRODUCTS. (a) Unless exempted by the department under (d) of this section, a person may not sell, offer to sell, or otherwise transfer in the course of the person's business a consumer electrical product that is manufactured after the effective date of this Act, unless the product is clearly marked as being listed by an approved third-party certification program.

(b) A person may not sell, offer to sell, or otherwise transfer in the course of the person's business a consumer electrical product that is manufactured before the effective date of this Act, unless the product is clearly marked

(1) as being listed by an approved third-party certification program; or

(2) with a warning label that complies with (e) of this section.

(c) A person may not sell, offer to sell, or otherwise transfer in the course of the person's business a consumer electrical product that has been exempted under (d) of this section, unless the product is clearly marked with a warning label that complies with (e) of this section.

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1 (d) If a consumer electrical product is a work of art or an item
2 that has an unusual application that makes approval by a third-party
3 certification program not reasonably available, the department shall
4 upon request exempt the item from (a) of this section. The department
5 shall establish by regulation guidelines to identify consumer electrical
6 products that qualify for an exemption under this section.

7 (e) The warning label required by this section must be a brightly
8 colored label that contains in simple, direct language a warning
9 that the electrical product is not listed by an approved third-party
10 certification program. The department shall adopt regulations estab-
11 lishing the exact content, color, design, and use of the warning
12 label.

13 (f) Unless a later version has been adopted by the department by
14 regulation, a certification program must meet the requirements of ANSI
15 Z-34.1 - 1987, American National Standards for Certification - Third
16 Party Certification Program, published by the American National Stan-
17 dards Institute, in order to qualify as an approved third-party certi-
18 fication program under this section. The department may adopt by
19 regulation later versions of the American National Standards for
20 Certification - Third-Party Certification Program, as the standard for
21 third-party certification programs under this section. If the depart-
22 ment has adopted a later version, a certification program must meet
23 the requirements of the most recent version adopted by the department
24 in order to qualify as an approved third-party certification program
25 under this section.

26 (g) In this section,

27 (1) "approved third-party certification program" means
28 program that qualifies under (f) of this section;

29 (2) "consumer electrical product" means an electrical

product that is marketed for and commonly purchased by the general public and that is

(A) an assembled device that has an electrical circuit that operates at 110 volts AC or higher, except for mechanical attachments, including pump heads, pulleys, and fan blades, that are used in the application of the device;

(B) a device that when assembled has an electrical circuit that operates at 110 volts AC or higher; or

(C) an individual component part that is intended to be part of an electrical circuit that operates at 110 volts AC or higher;

(3) "department" means the Department of Labor.

* Sec. 2. AS 45.50.471(b) is amended by adding a new paragraph to read:

(29) violating AS 45.45.910(a), (b), or (c).